

Purdah



in Islam

Moulana Ashraf Ali Thanwi
(Rahmatullahe Alaihi)

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***Hazrat Moulana
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Bismillahe Walhamdolille
Was-Salaato Was-Salaamo Alaa Rasoolillah

TRANSLATORS NOTE

Purdah epitomises the highest level of civilisation that any society can aspire for. Commands to uphold Purdah are found in all Divine Scriptures. In licentious and permissive societies too, semblance of modesty and female concealment is found. Purdah is a natural impellant imbued in the female psyche. However, Purdah was perfected in the Shariah of Muhammed (SalALLAHoo Alaihi Wasallam) and no modification or revision of this Law is necessary.

In the present age, the West is waging a calculated attack against the Institution of Purdah, to stir up anti-Islam emotions. Despite their vehement campaign, spearheaded by their newsmedia and crafty propagandists, Purdah finds ready acceptance in the hearts and minds of those who are blessed with serenity and natural aptitude.

Purdah is by no means the imprisonment of women or an attempt to degrade females but it augments her femininity and elevates her to the majestic pedestal that only a female can occupy. It makes a woman feel like a woman.

Who can hope to reach the exceptional level of devotion that a lady obtains by placing all her needs in ALLAH's Court and observing the Quranic Hijab within the confines of her own home? By doing so, she swims in the ocean of Divine Mercy and experiences the ecstasy of Divine Communication. Divine Aid is her succour.

The attempt by those with lust in their hearts to disrobe women of their honour is heinous, detestable and a crime against humanity.

This Kitaab was selected for translation because of its authentic content and the cool, calm and authentic manner of discussion by the 'Physician of the Ummah' Moulana Ashraf Ali Thanwi. A hallmark of his discourses is the balanced tone and the non-derogatory style, which he employs in expounding on the Divine Commands.

May ALLAH make this Kitaab a means for our salvation and guidance for all humanity.

Was-Salaam-u-Alaikoom.

Bismillaheer Rahmaaneer Raheem

PREFACE

The Respected Editor of Al-Ansaar-Deoband posted a query seeking the Shariah Ruling pertaining to the prevalent Purdah practice (of his times) to Hazrat Hakeem-ul-Ummat Moulana Thanwi (Rahmatullaho Alaihi).

Hazrat compiled a detailed, scholarly reply and forwarded it to him. The reply was subsequently published in full in the Al Ansaar of 24th June 1928.

After studying the reply, some well wishers of Islam felt that it would be better if the reply was simplified and a commentary added, since most people are alienated from Deen and Deeni Knowledge and find it difficult to understand treatises of a scholarly nature.

Hazrat acceded to this request and instructed our honorable Brother Molvi Zafar Ahmed Thanwi Sahab to compile a simplified commentary of the reply. Our eminent Brother fulfilled this task most admirably.

We now present the query from the editor of Al Ansaar and then the reply and its commentary. We hope that a Seeker of Haq (Truth) will be enlightened by the response.

However, for those who already entertain pre-conceived notions - and who have distanced themselves from Deen and shelved all forms of modesty and shame - a thousand such treatises will not be enough.

It is hoped that the Reader will study this entire booklet with a just mind and will not compromise on the Purdah. The Purdah is concealment, a source of pride and a fort for the chastity of all females. Compromising on this fundamental tenet of Islaam may result in them being heaped amongst those whom the Quran describes as 'GASEERAT DUNIYAA WAL AAGHIRA' (Losers in this world and the Hereafter).

Was Salaam

THE ESSENCE OF PURDAH

Respected Hazrat Moulana (meaning Moulana Ashraf Ali Thanwi) (May your shadow be extended over us forever.)

As Salaam-u-Alaikoom wa Rahmatullah.

I trust that you are enjoying good health. I herewith submit a few questions and hope that your Eminence will honor me with a reply.

1. In the Punjab, all respectable and noble ladies without exception don the Burqah (a headscarf) and leave home without any hesitation, to visit relatives or for religious or worldly work by Tanga or walking. (Tanga - a horse-drawn public conveyance.)

Nobody in that region considers this a vice because this is what the people there generally understand by Purdah. They understand Purdah to mean that a woman will ensure that she covers her face, her body and her beauty from non-Mahram males. In that region this particular dress code is regarded as the distinction between the well-cultured and the uncultured segments of society. Ladies from the lowly classes walk with their faces open and ladies from noble homes walk with a Burqah covering their faces.

Is the prevalent Purdah practice amongst the nobles of Punjab the Shar-ee Purdah or not? If not, then what Shar-ee prohibitions are not being adhered to and what defects are there in this practice?

2. In Deoband, one observes that the females here consider it reprehensible and improper to leave their homes, with a Niqaab and a sheet-cover too. They abstain from stepping out of their homes..

Are Muslim women under obligation to adhere to this type of Purdah or are they permitted to cover their faces and bodies and go out?

3. Since it is Wajib (compulsory) and absolutely essential for all young girls to cover their faces when appearing before non-Mahram males, are female servants and domestic helpers, who were not purchased as slaves, exempt from this ruling?

3.1 If they are exempt then please submit Shar-ee proof.

3.2 If they are not exempt then what is the Shariah ruling pertaining to the young males of the household who look at them without any reservation?

4. In some households, young or old males are employed to do domestic chores. If there be no threat of mischief then what is the Shariah ruling concerning females who walk around in the presence of these males with their faces open?

5. Is it wrong for an unattractive, dark-skinned young women, who poses no threat to the morality of anyone to expose her face?

6. Is it permissible for a well-bred youth who is safe from lust to converse without any urgent need to an attractive, young, strange male and to cast glances at her face during the conversation, albeit without lust?

6.1 If not, then please substantiate the non-permissibility bearing in mind that some female Companions (Sahabiyah) appeared before the Master of the Arab and non-Arab worlds (i.e. Muhammed (SaIALLAHoo Alaihi Wasallam) with their faces exposed. This humble being has not been able to establish that Rasoolullah (SaIALLAHoo Alaihi Wasallam) ever instructed them to conceal their faces in his presence.

7. Some people are of the opinion that the Quranic Verses pertaining to Hijab (concealment) were revealed specifically for the Ummahaatul Mu'mineen (The Mothers of all Believers i.e. the Pure Wives of the Holy Prophet (SaIALLAHoo Alaihi Wasallam). It is their contention that the general Muslim female population is not included in this Command. Is this opinion correct?

Was Salaam

The humble Abul Qasim

8th June 1928.

Bismillahe Walhamdolillah**Was-Salaato Was-Salaamo Alaa Rasoolillah***Reply by Hazrat Hakeem ul Ummat (Rahmatullahe Alaihi)***(This is the original reply along with the simplified Commentary)**

All Muslim females who are free (i.e. they were not bought or sold as slaves) and have reached the age of puberty or are close to the age of puberty, whether they be young or old, have to comply with three levels of concealment (Purdah) from strange males:

- 1. To conceal the entire body -the face and hands are excluded. The feet too are excluded according to some Jurists. This is the lowest form of concealment.**
- 2. To conceal the face, hands and feet. This is the middle degree of concealment.**
- 3. To be concealed behind a wall or a curtain in order that no stranger may cast a glance at her clothing too. This is the highest form of Purdah (concealment).**

These three stages are detailed in the Quran and Hadeeth and Rulings pertaining to these three stages are found in the Shariah.

A Verse in the Quran states:

'FEMALES SHOULD NOT EXPOSE THEIR BEAUTY EXCEPT THAT WHICH REMAINS (normally) EXPOSED.'

A Hadeeth reads:

'O ASMA! WHEN A GIRL REACHES THE AGE OF MENSTRUATION THEN IT IS NOT PERMISSIBLE FOR HER TO EXPOSE ANY PART (OF HER BODY) EXCEPT THIS AND THIS.'

Rasoolullah (SalALLAHoo Alaihi Wasallam) gestured to his face and hands.

(Abu Daud)

In this Quranic Verse and Hadeeth, the first level of Purdah (concealment) is discussed.

The explanation of the above-quoted Quranic Verse is that females should not expose any part of their body that reflects beauty with the exception of those parts that normally remain exposed.

The Hadeeth clarifies this Verse and submits that those parts are the face and the hands (i.e. these parts are excluded and may be exposed when the need arises). The Jurists of Islaam have included the feet on the basis of deductive analogy.

An explanative translation of the Hadeeth is that Rasoolullah (SalALLAHoo Alaihi Wasallam) told Hazrat Asma (Radhi-ALLAHoo Anhaa), a Lady Sahabi,

O Asma! When a girl reaches the age of puberty then it is not permissible for her to expose any part of her body to a strange male except this (gesturing to his face) and this (gesturing to his hands).'

(Abu Daud recorded this Hadeeth.)

Another Quranic Verse reads:

'YUDNEENA ALAI-HEENNA MIN JALAABI BE HEENNA'

'THEY (females) SHOULD DRAPE A SHEET-COVERING OVER THEMSELVES.'

A Hadeeth recorded in Bukhari and Muslim reads:

'A Lady asked, 'O Rasoolullah (SalALLAHoo Alaihi Wasallam)! If one of us does not have a sheet then how will we go out to perform the Eid Salaat?

Rasoolullah (SalALLAHoo Alaihi Wasallam) replied, 'Let her companion drape her in her sheet.' (i.e. share her sheet with her.)

Another Hadeeth recorded by Abu Daud reads:

'Rasoolullah (SalALLAHoo Alaihi Wasallam) stated, 'Ladies must extend their pants by about the span of their hand below the shin.'

On hearing this, Hazrat Umme Salma stated, 'In that case her feet will remain open.

Rasoolullah (SalALLAHoo Alaihi Wasallam) then said, 'Let her extend her pants by an arms length then.'

In these Ahaadeeth and Verses the second level of Purdah is explained.

A Verse from the Quran reads,
'WA QARNA FEE BUYOOTIKUNNA
 (O Ladies!) **'REMAIN CONFINED IN YOUR HOMES.'**

Another Quranic Verse reads,
'WHEN YOU (need to) ASK (strange) FEMALES FOR
SOMETHING THAT YOU REQUIRE THEN DO SO FROM BEHIND
A PARTITION.'

Another Verse reads,
'DO NOT TAKE FEMALES OUT OF THEIR HOMES AND NOR
SHOULD THEY THEMSELVES EMERGE FROM THEIR HOMES.'

A Hadeeth reads:

Rasoolullah (SalALLAHoo Alaihi Wasallam) instructed Hazrat Umme Salma and Hazrat Maimoona **' Make Purdah from him.'** (i.e. conceal yourselves from Abdullah bin Umme Maktoom, a blind Sahabi.)

Hazrat Umme Salma adds, **'I asked, 'O Rasoolullah (SalALLAHoo Alaihi Wasallam)! Is he not blind and cannot see us?'**

Rasoolullah (SalALLAHoo Alaihi Wasallam) replied, **'Are you also blind? Can you not then see him?'**

(Imam Ahmed, Tirmizi and Abu Daud recorded this Hadeeth.)

Another Hadeeth states that Rasoolullah (SalALLAHoo Alaihi Wasallam) instructed Hazrat Sauda, the daughter of Zam'aa, to **'Conceal yourself from him.'** (i.e. to conceal herself from the son who was conceived by her Father Zam-aa's Slave-girl.)

(This command was issued inspite of the fact that Rasoolullah (SalALLAHoo Alaihi Wasallam) had already issued a decree that Zam-aa was legally the father of this child since Zam-aa's Slave girl gave birth to him. However, inspite of this legal decree which Rasoolullah (SalALLAHoo Alaihi Wasallam) personally issued, he still instructed Hazrat Sauda (RadhiALLAHoo Anho) to conceal herself from this boy since the boy had a strong resemblance to Utbah, who claimed that this was his son, hence the hearing. Utbah's claim was rejected under the law of Shariah that governs such claims.

The Narrator of this Hadeeth states that this son did not set eyes on Hazrat Sauda for the rest of her life.

Bukhari and others recorded this Hadeeth.

A Hadeeth states, **'A female is an object of concealment. When she does emerge then the Shaitaan lies in waiting to ambush her.'**

(Tirmizi narrated this Hadeeth.)

These Quranic Verses and Ahaadeeth deal with the third level of Purdah.

All these Verses and Ahaadeeth establish conclusively the obligation of all three levels of Purdah that the Shariah instructs us to upkeep.

However, the Shariah does make a distinction between the three and decreed that the first level of Purdah (female concealment) is compulsory under all circumstances, whilst the second and third levels will be compulsory due to some impending circumstance (dolos eventualis). This distinction does not in any way lessen the degree of the compulsion on any level whatsoever or implies that any one level will not be compulsory. In spite of this distinction all three levels remain compulsory because the difference in levels does not in any way affect the compulsion itself. For example, a compulsory belief and a compulsory act are on different levels, but both remain Fardh (compulsory). The compulsion and obligation remains unchanged on both levels.

Since the first level is obligatory in essence, therefore this Command is applicable to the young and old. It applies to all. This means that an elderly Lady too is not permitted to expose any part of her body or head to a stranger. Her hands and feet are exempted from this restriction on this level.

Since the second and third level of Concealment (Purdah) is obligatory due to circumstances, thus its obligation will be applicable in the event of the prevalence of an impediment or danger. When these circumstances are prevalent, this obligation will be effective. In the absence of such circumstances, the obligation will be waived.

The impediment or peril referred to is the 'threat of Fitnah' (a threat to chastity and morality).

Proof of this lie in Rasoolullah's (SalALLAHoo Alaihi Wasallam) words,

'ISTASH RA-FA-HASH SHAITAAN'

'When she emerges the Shaitaan lies in waiting to ambush her.'

Further, this Statement of ALLAH Ta-aala suffices to substantiate this Fitnah:

'FA YAT MA AL LATHZEE FEE QALBEHEE MARADH'

'LEST HE IN WHOSE HEART IS A DISEASE (corruption) DESIRES HER.'

The Quran has not left the decision concerning where the threat of Fitnah exists or does not exist to our opinions and views. The Quran unambiguously declares where the threat of Fitnah looms. The Quran states,

'AND IT IS NO SIN ON ELDERLY FEMALES WHO HAVE NO HOPES OF MARRIAGE TO REMOVE EXCESS CLOTHING (that they wore to cover their faces etc.) ON CONDITION THAT THEY DO NOT EXPOSE THE PORTIONS OF THEIR BODY THAT REFLECT THEIR BEAUTY. HOWEVER IF THEY ABSTAIN FROM THIS TOO, THEN THAT IS SO MUCH BETTER FOR THEM.'

We conclude from this that those females who have reached an advanced age and have no hopes of marriage are not permitted to expose their 'beauty'. By 'beauty' is meant their entire body.

Yes, they are permitted to expose their faces and hands as another Quranic Verse indicates,

'FEMALES SHOULD NOT EXPOSE THEIR BEAUTY EXCEPT THAT WHICH REMAINS (normally) EXPOSED.'

The Tafseer of this Aayat was explained above.

Thus it will not be a sin for an elderly female to remove excess pieces of cloth like the Burqah or Chaadar (Sheet) which she uses to cover her face and hands in the presence of a strange male.

However she too is cautioned and advised to abstain from doing so but to rather adopt the second and third level of Purdah which is Mustahab (highly commendable) for her too.

This is what is meant by,

'WA EEEY YAS TA'FIF NA GHAIIRUL LAHOON'

'HOWEVER IF THEY ABSTAIN FROM THIS TOO, THEN THAT IS SO MUCH BETTER FOR THEM.'

This Aayat clearly stipulates that only old ladies who are past the marriageable age pose no threat of Fitnah.

The threat of Fitnah has not been negated in the case of youthful and middle aged females. Infact, they pose and face a real threat of Fitnah.

This threat is precisely the circumstantial factor that effects the obligation of the second and third level of Concealment (Purdah).

When the Shaa-ri (i.e. ALLAH Himself) decrees that young and middle aged females pose or face the threat of Fitnah then no one has a right to express their personal opinion in this regard and state that young and middle aged females do not pose any threat of Fitnah whatsoever.

ALLAH Ta-aala states, **'AFTER ALLAH AND HIS RASOOL (SalALLAHoo Alaihi Wasallam) HAVE ISSUED A RULING IN ANY MATTER, THEN NO BELIEVING MALE OR BELIEVING FEMALE, HAS ANY RIGHT TO ENTERTAIN THEIR PERSONAL OPINION IN THE MATTER.'**

ALLAH Ta-aala is telling us that no believing man or woman has the right, after ALLAH and HIS Messenger issue an instruction, to exercise their own opinion in the matter. That is they have no choice anymore. They are under obligation to fulfil the Divine Command.

This difference in the second and third levels of Purdah (Concealment) is dependent on the possibility of the existence or non-existence of Fitnah. The obligation of implementing the first level of Purdah is not dependent on the existence of any possible threat of Fitnah. In fact the first level of concealment is Wajib (obligatory) under all conditions and circumstances. The obligation of the second and third level of Concealment is dependent on the existence of the possibility of Fitnah.

Before understanding a second difference in all these levels, it is important to comprehend that a common principle in all three levels of Purdah is that necessity is an exempting factor. The proof of this lies in a Hadeeth that Hazrat Aa-eesha (RadhiALLAHoo Anho) narrated and is recorded in Bukhari. After the Laws of Purdah (concealment) were revealed, Hazrat Sauda (Radhi-ALLAHoo Anhaa) went out to answer the call of nature.

(After explaining a relevant fact pertaining to this event) she added that Hazrat Sauda returned and told Rasoolullah (SalALLAHoo Alaihi Wasallam),

O Rasoolullah (SalALLAHoo Alaihi Wasallam)! I went out for a certain need and Hazrat Umar (RadhiALLAHoo Anho) told me this and that. (i.e. He said: 'O Sauda! By ALLAH you cannot conceal yourself from us.' What he implied was that you should not emerge from your home because even by wearing your Chaadar and Burqah (sheet and face-cover) you still cannot conceal yourself from people.)

Hazrat Aa-eesha (RadhiALLAHoo Anhaa) states, 'Thereafter Wahi (Divine Revelation) was received and Rasoolullah (SalALLAHoo Alaihi Wasallam) stated, **'ALLAH Ta-aala has granted you (ladies) permission to emerge from your homes if there be a need to do so.'**

(Tafseer Surah Al Ahzaab)

However a distinction is made in the degree of the need on all three levels to determine which need can be regarded as an exempting factor and which need cannot be regarded as so.

Thus on the first level, which is compulsory on the young, middle-aged and elderly females, only an exceptional and extremely urgent need will be considered grounds for exemption. That is the treatment will be meted out according to the disease. This means that it is not permissible for either a young, a middle-aged or an elderly lady to expose her body before a strange man except if there be an extremely urgent need to do so.

On the second level which is only obligatory on young and middle aged females and not obligatory on elderly females an urgent need will be considered an exempting factor, though the need may not be as acute to warrant it to be considered a dire necessity.

It is therefore permissible for an elderly female to expose her face and hands before a stranger though it is Mustahab (highly commendable) for her to conceal these parts too as was explained before.

It is Haraam (expressly forbidden) for a young and middle-aged female to expose her face and hands before a stranger without any extremely dire need.

The Jurists base their ruling on the following principle of Jurisprudence:

'The compulsory prohibition on a young lady exposing her face before men is not based on the premise that the face constitutes part of her Satr (parts that must be compulsorily covered) but on the basis that a threat of Fitnah is posed when a young female exposes her face.'

(Durre Mughtaar)

Thus the face now becomes Satr due to circumstantial factors.

These are the words of Durre Mughtaar. This ruling is discussed in other Kitaabs of Jurisprudence too.

It is however permissible for a Lady to expose her face and hands, in the event of any extremely urgent and dire need, on condition that no danger is posed to her morality or chastity;

such as being touched by a strange male or touching him, or being ogled by a strange man, or sitting in seclusion with a strange man or meeting him in seclusion.

All these actions are forbidden and its prohibition is established in the Shariah.

However, should any male ogle or stare at her with lust, while she is compelled to expose her face and hands under such dire circumstances, then the sin will not weigh on the female.

The admonitory text of the Hadeeth which states, '**LA-A-NALLAHOON NAAZEER WAL MANZoor ILAIHI**' (**ALLAH curses the one who ogles and the one who is ogled**) (Mishkaat page 225 / Nizaami) will only fall on the Lady if she exposes her face etc without any valid reason or dire need.

However if she is forced to expose her face due to some dire need and in doing so, a male ogles her, then the female will not be held responsible for this sin.

On the third level of Purdah (concealment) too, a need will be considered grounds for exemption, irrespective of whether the need can be classified dire or not. So long as a need exists, exemption will be granted.

By need is implied that if she does not leave her home or does not emerge from her concealment then she may suffer loss or injury. In that case, it will be permissible for a young and middle aged female to emerge from her home covering her entire body with a Burqah and body-cover. In the absence of such a need, it will not be permissible for her to emerge from her home even though her entire body is covered with a body-sheet and a Burqah.

The Shariah does not lose sight of the fact that by waiving restrictions on the second and third level of Purdah, in the event of a need or a dire need, the possibility of Fitnah does still exist. Though restrictions were eased with a view on the needs of individuals and to create ease for everyone but that does not rule out the possibility of a

threat to chastity and morality. In fact, to counter this, the Shariah has promulgated various checks and enforced various preventative measures in the form of numerous Rules and Regulations. For example females are forbidden to emerge from their homes after having applied perfumes and fragrances.

Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

Verily, any female who anoints herself with perfume and passes any gathering then she is like this and like that.' (i.e. she is an adulteress)

(Tirmizi and Abu Daud recorded this Hadeeth. Tirmizi classified this Hadeeth as highly recommended.)

Rasoolullah (SalALLAHoo Alaihi Wasallam) also instructed

'But they (females) should leave their homes in untidy and unattractive clothing' (if and when it is absolutely essential for them to do so.)

(Abu Daud narrated this Hadeeth and did not object to its status. (Vol. 1 Page 91) Thus the Hadeeth is highly authentic.)

The purport of all these commands is that for elderly Ladies, the first level of concealment (Purdah) is Wajib (compulsory) whilst the second and third level is Mustahab (highly commendable). In the event of dire circumstances, restrictions are waived on the first level too; the observance of which is Wajib (compulsory).

For young and middle-aged females, the first level of Purdah is binding and in the event of any dire circumstances, restrictions are waived and exemptions granted. The second and third level of Purdah is also Wajib on them and restrictions are waived in the event of needs though these needs may not be acute or dire. That is, if the need is urgent but not as urgent to warrant it being classified as dire, then it is permissible for her to expose her face and hands before a strange male on condition that steps and precautions are taken to prevent any threat of Fitnah or corruption. That is, it will be Haraam for her to expose her head, her forearm and her shin.

(In lieu of current female fashions it will not be out of place, though immodest, to point out that it is Haraam for her to expose her knees, thighs, belly, back, neckline, arms, elbows etc. Translator.)

Similarly it will be Haraam for her to appear before a strange man adorned in beautiful and attractive clothing and jewelry.

In the event that the circumstance is not a dire necessity, but the need is genuine and not merely fictitious or imaginary, then it is permissible for a young or middle aged female to emerge from her home, adorned in a Burqah with her body covered. But it would be Haraam for her to expose her face and hands. Similarly it will be Haraam for her to emerge from her home with attractive clothing, adorned with jewelry and accessories to this effect.

At this juncture, your attention needs to be drawn to an important matter pertaining to the Rulings that were expounded previously. Those rulings, which are based on the prevalence or the non-prevalence of corruptive factors and Fitnah, are such that the ruling of Shariah may change with the change in circumstances or with a change in any one circumstance only. (These rulings are applicable in the second and third levels of concealment because in the first level of Purdah, the Shariah clearly specifies the exceptions and stipulates where the possibility of Fitnah exists and what the degree of need is. The Shariah has not left this issue to be interpreted according to the opinion of anyone.)

However, the right to interpret whether a need or the threat of Fitnah does indeed exist or not is vested exclusively in those Scholars who possess the ability and capacity to issue Fatawa (Religious Decrees). That is, Scholars who are pious, sincere and knowledgeable in Deen and accurate in their assessment of situations.

The views of those who do not have this ability will not be heeded at all, particularly the views of those incompetent souls in whom even a single trace of competency is not found in a diluted form too. Yes, signs of incompetency are found in them in very strong measure as is evident in this day and age amongst those who oppose the institution

of Purdah and seek to eradicate this custom. They all fall under the same category. Their ability is limited to literacy in English or a study of the translation of the Quran or having merely glossed over a few Arabic books. This then entitles them to stand up and lay claims to being proficient in Ijtihad (the ability to deduce Islamic rulings from the Quran and Hadeeth). The opinions of such people cannot even be considered.

ALLAH Ta-aala states,

'ARE THOSE WHO KNOW AND THOSE WHO DO NOT KNOW EQUAL?'

Aarif Shirazi states,

Not everyone who knows how to apply make-up and shine their faces
Knows how to love.

Not everyone who has a vision

Can be a Sikander (Alexandra, the great conquer).

Herein lies a thousand subtleties more delicate than hair

Everyone who shaves his head doesn't necessarily

Know the rules of the Dervish

The fact that the Shariah promulgated different rules to changing circumstances and conditions does not in any way imply that the Shariah Rulings may be amended or altered according to changing times and ages, as some immature people believe.

What is really meant is that the Shaa-ri (Promulgator of Divine Law) promulgated the Command in anticipation of specific conditions. If that condition is found then the Command is applicable. Should that condition not be found then another Command applies.

We deduce then that due to differing rulings, dependant on changes in circumstances, difference of interpretation of whether a need exists or not, will inevitably surface.

Whoever finds that the condition exists will give one ruling and whoever finds that the condition does not exist will submit another ruling. Both these rulings are in reality the laws of Shariah. Understand this carefully.

The permission for females to attend the Masaajid and Eidgah during the lifetime of Rasoolullah (SalALLAHoo Alaihi Wasallam) and the prohibition enforced during the days of the Sahaabah is based on the same principle.

Hazrat Aa-eesha (RadhiALLAHoo Anhaa) expressed this Principle in these words, **'If Rasoolullah (SalALLAHoo Alaihi Wasallam) witnessed the trends that females adopted after him then undoubtedly he too would have prohibited them from attending the Masaajid and the Eidgah, just as the females of the Bani Israeel were prohibited.'**

(Muslim narrated this Hadeeth)

Rasoolullah (SalALLAHoo Alaihi Wasallam) himself in the latter stages of his life, preferred that females offer their Salaah at home and encouraged this too. He preferred that they should not go to the Masaajid to perform their Salaah. He stated, **'The Salaah a woman offers in the inner rooms of her house is far more superior to the Salaah she offers in the open courtyard of her house. And the Salaah she offers in the concealed inner chamber of her home is far more superior than the Salaah she offers in the room of her house.'**

(Tibrani recorded this Hadeeth in his Ausat with a highly commendable chain of Narrators).

However Rasoolullah (SalALLAHoo Alaihi Wasallam) stopped at mere encouragement and did not forcibly forbid females from attending the Masjid because at that time the need for females to leave their homes was acute. Further the spirit to practice pious deeds and the fear for punishment was embossed in the nature of the general population. Due to this, the threat and possibility of Fitnah and corruption was considerably less.

Conditions changed dramatically thereafter. The change in the attitude and behavior of females contributed significantly to this changed condition.

It is on this Principle that the later Jurists issued a decree in which

they deemed certain Mahram (next of kin) as Naa-Mahram (strangers). They decreed that it is Makrooh (reprehensible) to be seated in seclusion with one's Mother-in-law, if she is young, because the Age is one of corruption.

The validity of this precaution can be understood from the words of Rasoolullah (SalALLAHoo Alaihi Wasallam) in which he said,

'IHTAJABEE MINHOO YA SAUDA'

(Conceal yourself from him, Oh Sauda!)

It was explained previously that Rasoolullah (SalALLAHoo Alaihi Wasallam) instructed Hazrat Sauda to conceal herself from the son of her Father's Slave girl. We are instructed in this Hadeeth to adopt Purdah as a precautionary measure too from one who is classified a Mahram (next-of-kin) in Shar-ee terms. (The son of that female Slave was Hazrat Sauda's brother in Shar-ee terms.)

Note: The following text from the Fatawa was not considered necessary for the laity. It is herewith added for the benefit of Scholars.)

'This decree is supported by a Narration recorded in the Targheeb from Uqbaah bin Aameer ((RadhiALLAHoo Anho) who reported that verily Rasoolullah (SalALLAHoo Alaihi Wasallam) stated:

Be warned. Abstain from visiting and intermingling with females.'

A man from the Ansaar asked, 'O Rasoolullah (SalALLAHoo Alaihi Wasallam)!

What is the ruling in this regard concerning a 'Hamu'? (male in-laws of the wife.)

Rasoolullah (SalALLAHoo Alaihi Wasallam) stated, 'The 'Hamu' (male in-laws of the wife.) are Maut (death).'

(Bukhari, Muslim and Tirmizi.)

He added: 'The reason it is decreed detestable for them to intermingle with the wife is due to the Hadeeth narrated from Rasoolullah (SalALLAHoo Alaihi Wasallam) who stated: 'No male sits in seclusion with a female except that the third party in that meeting is Shaitaan.'

The word 'Hamu' refers to the wife's father-in-law and whoever is foremost related to her by marriage like the brother-in-law, uncle-in-law, cousin-in-law etc.

That is what is implied in this Hadeeth.

Abu Laith Samarqandi (R.A.) submitted this commentary, quoting from Sa'ad (R.A.)

From this it is clear that the Ruling of the Jurists is not in contravention or a violation of the Divine Law. By studying the underlying principle behind the rule we conclude that this Fatawa (decree) in reality complies with the letter and spirit of the Holy Text. Another example of this is the juristic principle, which states that 'Where the cause ceases to exist, the ruling also ceases to apply'. This was applied in the case of Mu-al-li-fa tul Quloob (to win over the hearts of converts). In the days of Rasoolullah (SalALLAHoo Alaihi Wasallam) some wealthy converts were given Zakaat in spite of their affluent status. This was done merely to win over their hearts and to appease them. After Rasoolullah's (SalALLAHoo Alaihi Wasallam) death, this Ruling was not applied because there was no need to win over the hearts and appease the wealthy since Islam had become solidly entrenched in their hearts.

A difference of opinion between Imam Abu Hanifa and the Saahebain (Imam Abu Yusuf and Imam Muhamed) revolves around the same Principle. Imam Abu Hanifa issued an Edict permitting elderly females to attend the Masjid only for the Fajr, Maghrib and Esha Salaat. The Saahebain (Imam Abu Yusuf and Imam Muhamed) issued an Edict permitting them to attend the Masjid for all five Salaah.

Each one of them substantiated their view by their own Illat.

However all three Jurists unanimously forbid young and middle aged females to attend the Masjid for any Salaah. (See Hidayaa)

The Introduction is now complete.

All your questions were answered briefly in the Introduction. All that remains is to furnish a detailed reply to each question, to elaborate on the circumstances outlined in the questions in the light of that which was discussed and to refute some superficial arguments that may surface, if one merely looks at this matter in a shallow way. So I herewith present that too.

ANSWER TO QUESTION ONE

This state of affairs is not permissible because a level of Purdah (i.e. the third level) that is Wajib (compulsory) is compromised. This level is compromised without any necessity because the females can board a Tanga (horse-drawn carriage) with a body-sheet too, so why do they only want to wear a headscarf. If they only wear the Burqah then the second level of Purdah is also compromised, because one of the conditions under which it is permissible to emerge from the home with a Burqah only is that the Lady will not go out wearing attractive and beautiful clothing.

ANSWER TO QUESTION TWO

Yes Muslim females must adopt such concealment because the Command for such Purdah is established in the Shariah, as was proved above. The restrictions are relaxed only in the event of certain dire needs and circumstances.

ANSWER TO QUESTION THREE

A female domestic servant, who covers her entire body and merely exposes her face and appears in the presence of non-Mahram males, is complying with the least form of Purdah and this will suffice in the event of need and necessity.

Further there is no need for the males of the household to stare and ogle at the domestic servant in this condition. Thus they are not permitted to stare at her.

The Hadeeth states, '**ALLAH curses the one who ogles.**' (i.e. one who without any need stares and ogles at a non-Mahram female)

If there be any need to converse with her then this will be permissible within the bounds of need only. To prolong the conversation merely to satiate the lust will be Haraam.

The Hadeeth states, 'The tongue also commits adultery.'

(Bukhari and Muslim record this in a lengthy Hadeeth in their respective Kitaabs.)

ANSWER TO QUESTION FOUR

It is Haraam for a female to expose her face in the presence of a non-Mahram. In this case there is no need. Particularly when it can be strongly assumed, nay it can be stated as a fact, that females do not take any care to cover their hair too and walk around in the presence of these male domestic employees (and staff) with uncovered heads. On occasion they do find themselves in seclusion and privacy with these male domestic servants, which itself is Haraam. Thus this state of affairs will also not be permissible.

ANSWER TO QUESTION FIVE

The Shariah has not made any distinction between a fair skinned or dark skinned lady and a beautiful or an unattractive woman. In fact the Shariah decrees that a young lady in any state could pose a source of Fitnah.

Therefore it will be Haraam for a dark, unattractive lady too to expose her face without any need or necessity.

Further experience proves that some people prefer dark-skinned females to light-skinned females.

As a poet states:

O you who are like a blossoming flower, what is your name?

Tell me so that I may sacrifice myself before you.

Have not seen any black-eyed damsel

More beautiful and delicate than you.

It is an accepted fact that **'LE QULLE SAAQEETATEEN LAAQITATOON'**,

(There will always be someone to pick up that which has fallen.)

ANSWER TO QUESTION SIX

It is not permissible for a well-balanced, pious, clean-hearted male to speak to young females in the absence of any real need or to stare at their faces even though he may have no lust or evil intentions. Proof of this have already been discussed above.

Further it has not been reported anywhere that the Ladies and Wives of the Sahabah exposed their faces before Rasoolullah (SalALLAHoo Alaihi Wasallam) without any real and urgent need. In fact it is obvious that they only appeared before him at times of necessity. So how could Rasoolullah (SalALLAHoo Alaihi Wasallam) prohibit them from appearing before him at times of acute need, specifically when Rasoolullah (SalALLAHoo Alaihi Wasallam) had already propagated the Commands of Shariah in this regard? So undoubtedly any female who thereafter appeared in his presence with her face uncovered must have did so out of great necessity. Further it is also not recorded and cannot be proved that Rasoolullah (SalALLAHoo Alaihi Wasallam) looked at their faces intentionally and purposefully. Nor can it be proven that it was the general trend and habit of the females of that Era to be immodest and not to don the Purdah. Thus study the following Ahaadeeth.

2. Hazrat Atiya (Radhi-ALLAHoo Anhaa) narrated, **'We were commanded to take along with us females who were menstruating and females who had secluded themselves in Purdah to the Eidgah on Eid days.'**

(Bukhari and Muslim record this Hadeeth.)

The words 'Zawaatul Ghudoor' meaning females who sat behind curtains in the text of this Hadeeth, proves that non adherence to Purdah was not a general trend in the days of Rasoolullah (SalALLAHoo Alaihi Wasallam).

2. Hazrat Aa-eesha (Radhi-ALLAHoo Anhaa) narrated that a lady stretched her hand out to give a letter to Rasoolullah (SalALLAHoo Alaihi Wasallam).

(Abu Daud and Nisaai narrated this Hadeeth/ Mishkaat.)

This Hadeeth clearly establishes that the females of that Era observed Purdah and adopted the third level (the most superior form) of Purdah.

3. We learn from Abu Saeed Khudri (RadhiAllahoo Anho) about the incident of a young Sahabi youth who had just got married a few days before the incident in question.

He reported that this youth sought leave from Rasoolullah (SalALLAHoo Alaihi Wasallam) to return home. On his return home, he found his wife standing at the front door between the doorframe. The youth aimed his arrow at her intending to slay her. He flew into a rage in a spirit of self-respect.

(AlHadeeth. Muslim narrated this Hadeeth. /Mishkaat)

From this Hadeeth we learn that the practice of Purdah was solidly entrenched in the custom of those people. Thus this Sahabi youth flew into a mad rage when he found his wife standing at the front door.

4. The incident of Afak (the Hypocrites exploited this incident to falsely slander Hazrat Aa-eesha (RadhiALLAHoo Anhaa) when it became known that the Companions entrusted with this responsibility mistakenly loaded an empty palanquin onto the camel, assuming that Hazrat Aa-eesha (RadhiALLAHoo Anhaa) was already seated inside the carriage) is an exceptionally strong proof and substantiation of the custom of the existence of sedan Bearers for women in those days and the non-conversational stance of ladies with the Bearers of palanquins. (Otherwise the Bearers of the palanquin would have detected that Hazrat Aa-eesha was not inside by her silence.)

From these Ahaadeeth it is clearly established that the prevalent custom amongst the respectable women in our region is similar to the Purdah custom of that Era.

ANSWER TO QUESTION SEVEN

Firstly this claim begs for proof. It is not enough to merely make a supposition without proof.

Secondly, if we concede for the sake of argument, that the Command for concealing was specific to the Ummahaatul Mumineen (the Mothers of the Believers- the Wives of the Prophet) then it still does not imply that this law, from its various angles, applies to them alone. If we concede, for the sake of argument, that this is so, then it may be inferred that the third level of Concealment is specific to the Pure

Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam) and is compulsory on them in principle, but will be binding on the general Muslim female populace, due to circumstances.

In this case the obligation is equally applicable to all. The only difference would be the legal *raison de-etre* on which the decree of compulsion is based.

Further it is possible that the underlying reasons for the compulsion of Purdah may be manifold. One reason for its obligation is to maintain social dignity and honor. In that case this would be specific to the Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam).

Another reason Purdah may be obligatory is to close the door of Fitnah and immorality. This would be applicable to all females.

So how can it be correct to make a general assumption and claim that the third level is specific to the Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam) alone, when proofs have already been submitted to specify that this command applies to all, as was discussed above?

Further, in the Verses in which the pure Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam) are commanded to observe the laws of concealment (Purdah), ALLAH Ta-aala stipulates the reason along with the Command. The reason stipulated is

'That (Purdah) is an excellent way to keep your hearts and their hearts pure.'

This reason is the *raison de-etre* (and a common factor) in all levels of concealment. In fact, it is more necessary amongst the other females than in the Holy Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam) because in the lives of the Wives of Rasoolullah (SalALLAHoo Alaihi Wasallam) the causes of Fitnah and corruption were not prevalent from any angle whereas the other females are not safe from the prevalence of these causes from all angles.

When the underlying *raison-de-etre* is expressed with the ruling then the ruling will revolve around the *raison -de-etre*.

That is wherever the Illat (*raison-de-etre*) is found, the ruling would also definitely be applicable. This is an obvious fact. So how can this command be specific to the Azwaaje Mutah-haraat (the Pure Wives).'

Alhamdulillah, the questions were answered, as far as was necessary. If you need further details then you are referred to Hazrat Moulana Ashraf Ali Saheb's Kitaab 'al Qoulus Sawaab Fee Tahqeeq Mas alateel Hijaab' and Hazrat Moulana Gangohi Saheb's Kitaab 'Lataa-ee-fe Rashidiya'.

I now by way of an appendix wish to elaborate further and conclude the discussion.

APPENDIX

'If permission is granted today to discard the Purdah or to compromise on the levels of Purdah, in complete disregard for the Wajib (compulsory) obligation -which was substantiated with proof previously- then undoubtedly, in a few days, a situation will develop wherein those who oppose the Purdah too will find no space to influence the events that will unfold. They will then opt to be advocates of Purdah and attempt to control the unfolding events but events will be out of their control and by then they will regret their decision.'

And ALLAH knows best.

Ashraf Ali (May he be forgiven)

Friday 26th Zil Haj '46H.

COMMENTARY TO THE APPENDIX

With reference to his statement: **'in complete disregard for the Wajib'**

I submit: By 'Wajib', he implies the Wajib (compulsory) obligation of observing the Purdah in general. Besides this compulsory duty, many other obligations related to Purdah would also be compromised and ignored. These are not outlined in detail in the relevant Hadeeth. For example:

2. What steps will be taken to ensure that females will not emerge from their homes without any dire necessity? In the case under discussion, discarding the Purdah or relaxing the regulations

governing Purdah will automatically cause females to give up the habit of remaining indoors.

2. What arrangements will be made to ensure that, after they emerge from their homes, they will walk on the side of the streets, humbly and quietly and will not walk brazenly in the middle of the sidewalk?

Both these points are discussed in the following Hadeeth, Abdullah ibn Umar narrates that Rasoolullah (Sa/ALLAHoo Alaihi Wasallam) stated,

'Ladies have no need to participate in activities that require them to emerge from their homes except for dire necessity.'

The same Hadeeth further states,

'Ladies have no need to participate in activities that require them to walk on public roads except on its edge and side.'

(Tibrani recorded this Hadeeth in the Kabeer)

3. What precautions will be taken, should events reach a stage when Purdah is totally discarded and free intermingling with males takes place outside the house too, to prevent a wife from allowing a male into the house without the permission of her husband?

4. What precautions will be taken, should a stage be reached when Purdah is totally discarded, to ensure that a wife always seeks her husband's permission before leaving the house?

Both these issues are mentioned in the following Hadeeth:

Hazrat Ma'aaz bin Jabal reported that Rasoolullah (Sa/ALLAHoo Alaihi Wasallam) said,

'It is not permissible for a female who believes in ALLAH and the Day of Judgement to allow anyone into her house without her husband's permission. Nor should she leave her home if it would displease him (i.e. he does not permit her to do

so.) **She does not need to obey anybody else in this regard.'**

(Tibrani in the Kabeer, Haakim in the Mustadrak and Baihaqi in the Sunan.)

5. What arrangements and steps will be taken to ensure that after she has plucked the courage to step out of her house then she will not ogle strange men?

6. What precautions will be taken to ensure that no stranger ogle her?

Both these matters are discussed in the following Hadeeth.

Hazrat Ali (RadhiALLAHoo Anha) narrated that he was seated in the company of Rasoolullah (SalALLAHoo Alaihi Wasallam) when Rasoolullah (SalALLAHoo Alaihi Wasallam) asked everybody present, 'What is best for a female?'

All the Sahabah present remained silent and nobody replied.

Hazrat Ali states, 'I went home and asked Hazrat Fatima, 'What is best for a female?'

Hazrat Fatima replied, 'That she does not look at any males nor allow any males to look at her.'

I in turn conveyed this reply to Rasoolullah (SalALLAHoo Alaihi Wasallam).

Rasoolullah (SalALLAHoo Alaihi Wasallam) commented,

'Fatima is a part of my flesh' (that is why she understood the matter correctly).

(Bazzaar in the Musnad and Daare Qutni in the Ifraad.)

7. What precautions will be taken to ensure that when any strange male looks at her then no evil and satanic ideas will creep into his mind? Bear in mind that these filthy thoughts were contained by the observation of Purdah.

This matter is discussed in the following Hadeeth.

Hazrat Jaabeer narrates that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'A female appears in the form of Shaitaan and returns in the form of Shaitaan.'

(Muslim narrated this Hadeeth.)

8. What precautions will be taken to ensure that should any person's gaze fall on her then he would lower (shift) his gaze?

Bear in mind that by observing Purdah perfectly there is no possibility of even casting a second glance

This matter is discussed in the following Hadeeth.

Hazrat Jaabeer bin Abdullah narrates,

'I asked Rasoolullah (SalALLAHoo Alaihi Wasallam) about the gaze that falls unintentionally.

Rasoolullah (SalALLAHoo Alaihi Wasallam) instructed me to shift my gaze away immediately.'

(Muslim narrated this Hadeeth.)

9. What precautions will be taken to ensure that females will not speak to non-Mahram males unnecessarily and that a wife will seek permission from her husband before speaking to any strange male about necessary and important issues too? Bear in mind that at present very little conversing between strange males and females occurs due to the observance of Purdah. . Thus it is easy to control this bit. Further at present modesty and shame are dominant qualities in females.

This matter is discussed in the following Hadeeth:

Hazrat Umar narrated,

'Rasoolullah (SalALLAHoo Alaihi Wasallam) prohibited us from speaking to females without the consent of their husbands.'

(Tibrani in Kabeer.)

Hassan Basri narrated,
I was informed that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,
**'Females must not speak to any males besides their Mahram
(next of kin) relatives.'**

(Narrated by Ibn Saad)

10. What precautions will be taken to ensure that the husband's close relatives in particular are prevented from walking in and out of the house and intermingling in private with the wife?

This matter is discussed in the following Hadeeth.

Uqbah bin Aamir narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) said,

'Be warned. Abstain from visiting and intermingling with females.'

A man asked, 'O Rasoolullah (SalALLAHoo Alaihi Wasallam)! What is the ruling in this regard for the brother-in-law or father-in-law and the husbands other male relatives?'

Rasoolullah (SalALLAHoo Alaihi Wasallam) stated, **'The brother-in-law (and father-in-law etc.) are death.'**

(Bukhari and Muslim narrated this Hadeeth.)

11. What precautions will be taken to ensure that during this free intermingling and mixing, an occasion of seclusion and private meetings will not arise?

This matter is discussed in the following Hadeeth.

Hazrat Umar (RadhiALLAHoo Anho) narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'No male sits in seclusion with a female except that the third party in that meeting is Shaitaan.'

Tirmizi narrated this Hadeeth

12. What precautions and steps will be taken to ensure that the female does not touch the hand of a strange man?

This matter is discussed in the following Hadeeth:

Abu Hurairah (RadhiALLAHoo Anho) in a lengthy Hadeeth narrates that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'The adultery of the hand is to touch a non-Mahram.'

(Muslim and Bukhari narrated this Hadeeth.)

Ma'qal bin Yasaar (RadhiALLAHoo Anho) narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'It is preferable that an iron poker be passed through your head than to touch a women who is not Halaal to you.'

(Tibrani and Baihaqi. Tibrani's Narrative chain is authentic and complies with Bukhari's standards.)

What was outlined above are some of the harms pertaining to the Hereafter. In this world, this fondling and touching occasionally reaches the stage of Hurmat-e-Musahara, through which one is forbidden to have any marital contact with one's wife forever.

(P.S. Hurmat-e-Musahara comes into effect immediately after a man touches his wife's mother, grandmother, daughter or grand-daughter with passion and lust or indulges in any sexual contact with them. His marriage terminates immediately and he is not permitted to marry this woman again for the rest of his life.)

13. What precautions will be taken to ensure that under such conditions females will not emerge from their homes dressed in attractive and beautiful attire or that they would not regard emerging from their homes in untidy and unattractive garments as disgraceful?

This matter is discussed in the following Hadeeth.

Hazrat Aa-eesha (RadhiALLAHoo Anhaa) narrated,

'One day Rasoolullah (SalALLAHoo Alaihi Wasallam) was seated in a Masjid when a lady from the tribe of Muzayina entered the Mosque strutting in a beautiful and attractive outfit.'

Nabi (SalALLAHoo Alaihi Wasallam) commented,

'O People forbid your wives from strutting in the Masjid in attractive and beautiful outfits, for the curse on the Bani Israa-

eel only fell after their wives started wearing attractive and beautiful garments to attend their places of worship (and other places).'

(Ibn Majah narrated this Hadeeth.)

14. What precautions will be taken to ensure that females do not anoint themselves with ltr or apply perfume when leaving their homes?

This matter is discussed in the following Hadeeth:

Abu Musa Ashari (RadhiALLAHoo Anho) narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'A female who applies perfume and walks past a gathering of males in order that they may inhale her perfume is an adulteress. And every eye that looks at her commits adultery.' (Nisaai in his Sunan/ Ibn Ghazima/ Ibn Habaan in his Saheeh/ Haakim in the Mustadrak. He commented that the narrative chain of this Hadeeth is authentic.)

All these Narrations were quoted from Manzaree's 'atTargheeb wat Tarheeb'.

15. What precautions will be taken to ensure that when the face and hands are exposed then the forearms, the neck and other parts would be covered and concealed.

This is discussed in the following Hadeeth:

Hazrat Asma narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) said,

'O Asma! When a girl reaches the age of puberty then it is not permissible for a male to look at any part of her body besides this and this' gesturing to his face and hands.

(i. e. it is only permissible to expose these two parts of the body.)

(Abu Daud narrated this Hadeeth.)

This Hadeeth was also quoted in the original reply and the level of Purdah pertaining to this Hadeeth was explained.

16. What precautions will be taken to ensure that if the male sees his wife stepping slightly beyond the bounds of these regulations then he will stringently and permanently restrain her from straying? If he does not do so then he will court the wrath and punishment prepared for a Dai-yooth.

This is mentioned in the following Hadeeth:

Hazrat Ammaar bin Yaaseer narrates that Rasoolullah (SalALLAHoo Alaihi Wasallam) stated,

'Three people will never enter Jannat.

1 A Dai-yooth.

2. A female who impersonates males in clothing and appearance..

3. A habitual alcoholic.'

The Sahaabah asked, 'Who is a Dai-yooth?'

Rasoolullah (SalALLAHoo Alaihi Wasallam) replied, 'One who does not care who is intimate with his wife.'

(Tibrani records this Hadeeth in a lengthy narration in the Kabeer.)

17. What precautions will be taken to ensure should the stage be reached where males and females intermingle freely then the occasion will not arise when males will walk around freely in female gatherings?

This is mentioned in the following Hadeeth:

Abdullah ibn Umar narrated that Rasoolullah (SalALLAHoo Alaihi Wasallam) forbade a male to walk between two females.

(Abu Daud records this Hadeeth.)

These Narrations were extracted from Jam-ul-Fawaa-id.

18. What precautions will be taken to ensure that when a lady walks down the street, her jewelry will not clang?

This is discussed in the following Aayat of the Quran:

'FEMALES SHOULD NOT STAMP THEIR FEET HARD ON THE GROUND WHILE WALKING LEST MALES BECOME AWARE OF THEIR HIDDEN BEAUTY.'

19. What precautions will be taken to ensure that when females start emerging from their homes then they will not wear men shoes?

This is mentioned in the following Hadeeth:

Hazrat Ibn Abi Maleeka narrated that Hazrat Aa-eesha Siddiqah (RadhiALLAHoo Anhaa) was told that a certain female wore men shoes.

She commented that Rasoolullah (SalALLAHoo Alaihi Wasallam) cursed a woman who assumes male forms and dons male clothing.

(Abu Daud/ Mishkaat.)

20. What precautions will be taken to ensure that a female will not occasionally travel without a Mahram?

The Ahaadeeth that prohibits this are well known

END

CLARIFICATION OF A DOUBT

It is not at all correct to compare the Era of Rasoolullah (SalALLAHoo Alaihi Wasallam) to our Age. The males of this era are not like the males of that era nor are the females of this era like the females of that era - neither in behavior nor in attitude nor in their primary needs. Further the penal code and punishments, that are a strong deterrent and preventative factor, are not applied these days.

It is precisely in reference to this type of false analogy that Moulana Rumi alludes in the following couplet:

Do not compare the deeds of the Elders to your deeds

(i.e The Learned Elders did this, so I will also do so.)

Even though the word 'Sher' and 'Sher' are spelt the same

Yet there is a big difference in their meaning

('Sher' in Persian means a ravenous beast of prey and 'Sher' means milk.)

CAUTIONARY NOTE

In view of the absence of the aforementioned precautions (which were discussed above) and the false analogy of the two ages (which was discussed under 'Clarifying a doubt') coupled with the present educational system which is being strongly advocated and for which unbridled freedom and immodesty are necessary requisites, the following couplet aptly applies to females in this confused atmosphere:

They avoid exposing their faces and appearing before others

They inflame their bazaars and our fire

Males in this environment aptly personify the following couplet:

If a hungry, irreligious person sits alone in a house with a tablecloth spread before him

Then the intelligence cannot believe that he upholds the prohibition of eating in Ramadhan

In this atmosphere, the call by Reformers pleading with the nation to guard their chastity and modesty (and the need to do so cannot be denied) is aptly personified in the following couplet:

You have confined yourself in the middle of the ocean

Then you say, 'Be careful. Mind my clothes do not get wet.'

(Ashraf Ali. A fortnight after compiling the original)

ADDENDUM

This Addendum consists of three parts. The first two parts were compiled by me as additional information and admonishment and included in my booklet entitled 'Qaboo lus-Sawaab fee Shumoo lil Hijaab'. (This booklet was compiled for the benefit of people educated in secular sciences and written in terms that appeal to them.)

The other part was compiled by Molvi Habeeb Ahmed Saheb and is a response to a newspaper columnist's opinion. Since these articles complement the Fatawah under discussion, they are added to this Kitaab.

PART ONE

CUSTOMARY OR RELIGIOUS

The Quranic Verses and Ahaadeeth that were recorded previously and the rulings derived from these in essence amounts to closing and plugging the door of Fitnah.

It is with regard to this that the Jurists of Islam, who are in reality the Sages and Physicians of the Ummah, issued certain decrees which I herewith quote by way of example.

1. It is not permissible for a female to recite the Qiraat audibly in the Jahri (audible) Rakaat of the Salaah.
2. It is not permissible for a lady to recite the Labbaik audibly during the Haj.
3. If a female is a Muqtadi (i.e. she is following her husband or a Mahram in Salaat at home) and the Imam of that Salaah errs, then the female is not permitted to direct his attention to the error in an audible voice. She may slap her palm on the back of her hand so that the Imam may hear this and realise that he has erred and then think about the error he had committed.
4. It is not permissible for a young female to make Salaam to a non-Mahram male.
5. If it is not permissible for a female to recite the Quran audibly in Salaah or to declare the Talbiya (Labbaik) audibly in the Haj or in the event of the Imam having erred to say 'Subhanallah', as a male Muqtadi may do, or to make Salaam to a non-Mahram male then how will it be permissible for her to speak to a non-Mahram male without any urgent need or to recite poems or to write letters and correspond with males which in reality stirs the passion even more than direct speech, or to place adverts in newspapers (matrimonial

or pen-pal columns, as is widely done these days) in which the female submits her address and a description of herself too?

6. It is not permissible to have one's body massaged by a strange female

7. If this is not permissible then how can it be permissible for a female to place her hand in the hand of a strange male to pledge the Bai-et (pledge of spiritual allegiance) as certain ignorant and misguided Peers (Spiritual Guides) do?

8. It is not permissible to stare adoringly and admiringly at any item of clothing that a strange female may be wearing.

9. It is not permissible to stare at the reflection of a strange female in a mirror or in water. On this basis how can it be permissible to look at her photo?

10. It is Makrooh for a female to eat the leftover food of a strange male and vice versa if there is any lust or passion involved.

11. It is essential to observe Purdah with one's foster-brother, son-in-law and similarly with one's husband's son from a separate marriage just as one would with a non-Mahram male. Though these are all Mahram legally but in lieu of the fact that this is an age of Fitnah, Purdah must be observed.

12. It is not permissible to stare or look at the hair or nails of a female though these are clipped off her body.

13. It is not permissible to speak or think of a strange female and satiate the lust and desire.

14. It is Haraam to fantasise over strange women or to think of them (in lustful terms).

15. It is also Haraam to fantasize over a strange female during intimacy with one's wife.

The purport of all this is that the Shaitaab uses a female, according to one Hadeeth as 'a snare and trap.' Just as it is essential to be wary and avoid traps so is it essential to be wary and avoid unnecessary contact with females.

Hazrat Moulana Rumi in the seventh Daftar, 'Sabab Kushtan Ibrahim Khurus' (The reason Ibrahim killed the rooster) expresses this theme in his inimitable way:

The cursed devil said 'give him rope'
This prey I want to catch.

Thereafter he mentions the causes of Fitnah and the displeasure of Iblis (the devil). At the end, he details the pleasure of Iblis at observing the effectiveness of the trap under discussion here and his approval that this snare is sufficient.

When the devil learnt how the beauty and attraction of females
Destroys the intelligence and patience of men

He danced in elation exclaiming 'I will attain my object very fast.'

He was ecstatic at seeing how the intoxicating female eye casts a veil on intelligence

And how clearness and beauty of their cheeks reduces hearts to ashes

And faces and palms and eyelashes and red lips shining bright like luminous gems

So red and bright that it shines out from behind the Purdah too

Like the cypher tree

And her cheeks like jasmine and nasturtium

When I cast eyes on her I leap in happiness

As if she was a spark of the beauty of ALLAH

PART TWO

RATIONAL AND NATURAL

Protagonists of modern culture place so much emphasis on ratiocination, naturalism and observation that in this pursuit, they very often reject the Shariah (Divine Code).

However in this issue (Purdah), the blind-followers of Europe stirred their passion and philosophy to such an extent, that they spared no moment to think that this practice is so patently rational and natural, that had the Shariah not promulgated this Ruling, then too, innate self-respect on the one hand and nobility of character on the other coupled with real life experience would compel every sane, psychologically balanced and a well-cultured person to see the need for Purdah (female concealment).

It is indeed a great favour of the Shariah that it spared us many hours in breath and time from exerting our minds in a laborious exercise to seek a solution. The Shariah instead presented this gift gratis to us.

And is this the appreciation that such people show?

How true are the words of the Poet (in the following quatrain):

When the object arrived, then the greatness of others was concealed

The eye became like the heart

The veil became the obstacle

When the Qazi (judge) himself proclaims bribery to be permissible then who will recognize the oppressor from the oppressed?

Therefore it behoves us not to conclude this discussion without the Duaa (prayer) expressed in the following poem:

O ALLAH! Make my heart sincere and without any ulterior motives

For ulterior motives is a terrible affliction of the heart

O ALLAH! When my heart is cleansed of all ulterior motives

Then fill it completely with Thy Love

And instead of water and sand in my body, fill it with

The pain of the heart, the pain of the heart, the pain of the heart

(i.e. grant me Thy Love)

And ALLAH responds to every Duaa.

From HIM is the beginning and unto HIM is the end.

3rd Rabi-uth-Thaani, 1345H.

PART THREE

**RESPONSE TO A NEWSPAPER COLUMNIST'S
OPINION ON THE HIJAB**

The Al Ansaar published an article entitled 'The Ulema-e-Ummat must explain what the real Shar-ee Purdah is'. The article was reproduced from the Hamdard newspaper.

In the article, the Ulema were requested to publish a unanimous Fatawa on Purdah, failing which, the author reprimands them that 'since the speed of the modern age has already produced that which was improbable thus nobody will be able to prevent the changes that the modern age will wreak.'

He adds that 'just as the Muslims are regretting their decision at not acquiring English secular education similarly they will have no other recourse but to regret their decision to observe and uphold the Purdah custom.'

He then proffers his personal opinion in this regard and states that 'perhaps this state of affairs is due to two extremities; unbridled free-thinking on the one hand and the prevalent inhibiting Purdah practice.' He suggests that 'between these two extremes (extreme permissiveness and extreme inhibition) an excellent middle path can be chalked out in the light of the dictum '**Ghairool Umoore Ausatoha**' (the best course in any matter is the middle path).'

I wish to submit my views in this matter.

I state that to entertain any hope of the Ulema issuing a unanimous Fatawa is wishful thinking because there are two types of Ulema. One group gives preference to the Hereafter over the Duniya (worldly life) and the others give preference to the Duniya over the Hereafter. Since their object is not the same, it is but inevitable that their viewpoints will be different.

Further some Scholars are blessed with deep understanding while others have shallow intelligence. This is another reason why it is close to impossible for them to hold a unanimous view on any matter.

Further, in India, (like elsewhere) such people abound who have absolutely no understanding of Ilm, yet brazenly snatch the mantle of the Ulema and submit their views in religious affairs.

Now if the religious Scholars unanimously agree on any one issue too then obviously these charlatans would peddle a different opinion.

So since it is impossible for us to have a unanimous opinion, your columnist advises females to shed their Purdah due to (what he perceives to be) a lack of unanimity on the subject.

In the circumstance we have no other recourse but to read '**Fa Sabroon Jameel**' (Patience is beautiful).

We also have to brace ourselves to witness the disastrous consequences of the shedding of the Purdah just as we are witnessing the disastrous fruits of secular education.

If your columnist had any vestige of Imaan and justice then he would have appreciated the views and opinions of those who decreed that English secular education is Kufr (heretic) because experience proves the validity of their opinions, as clear as daylight.

Thus today, the calamities that are befalling the Muslims and events that are destroying Islam can all be attributed to the acquisition of English secular education.

On the one side we hear the voices of those who claim that the root of our decline and destruction lies in our religion and they advice us to discard religion.

On the other side we hear the clamor of those who advocate that our refusal to accept interest is the root cause of the decline of Muslims and they insist that interest be accepted without compunction.

Others again bellow that the Purdah is oppressive and barbaric and that it is an impediment to progress. They demand that we discard the Purdah.

Others again declaim that ALLAH dealt the nation a crippling blow by legalizing the marriage of minors. They are at pains to have this law repealed.

Some others again thunder that the prohibition on inter-religious marriages contributes towards the distrust and hatred between religious groups and they attribute this to be a serious error on ALLAH's part. (May ALLAH protect us from uttering such blasphemy.) They demand that this Law be repealed and inter-religious marriages be accepted and promoted.

Others again claim that 'ancient Fiqh' has destroyed us. They demand that Fiqh should be modernised and everything that was decreed Haraam thus far should be decreed Halaal.

Some propound that Islaam must be wiped out through compulsory secular education.

The list goes on and on.

In short, this clamour is heard all over the world and these dissenting voices are only heard from Western-educated academics. Though admittedly, worldly motivated Molvis have also joined them in their dissenting bellicosity.

These developments prove that the views and opinions of those Learned Elders, who considered the acquisition of secular English education as extremely dangerous for Islaam and exhorted Muslims to abstain from this education, were absolutely correct.

However, instead of acknowledging the validity of their opinions, your columnist turns around and portrays them as idiots. This too is the result of his secular English background.

He further states that just as the Muslims are weeping today at opposing secular English education similarly they would tomorrow regret aiding, abetting and promoting the current Purdah custom.

I say that the Muslims who opposed acquiring secular English education do not at all regret their decision nor would they ever regret their decision. Further, the upholders and advocates of Purdah would one day, on observing the corruption that stems from discarding the Purdah, be just as proud about their decision as the opponents of secular English education today are proud of their decision.

Would these people be satisfied when India becomes the envy of Europe and starts openly advocating public adultery, promiscuity and vice and where no one with a pure blood line would be found nor will one find anyone with noble character traits in this land?

Nay, perhaps these oppressors and miscreants will only be happy when the punishment for their rebellion is meted out to them after death and they are forced to taste the fruits of their 'freedom and culture'.

In short, the Muslims have no reason to regret their opposition to secular education nor will they have any reason to regret supporting and advocating the current Purdah practice and custom. The irreligious people who opposed the Ulema in the issue of secular education only harmed themselves. They did not harm the Ulema at all. Similarly, if any, at this stage too, choose to oppose the Purdah custom then they would only harm themselves. The Ulema will not be harmed in any way.

Pertaining to the view that should the Ulema unite and adopt a middle course then the fire of this Fitnah may be brought under control, is also a false expectation. Please show me any issue where the followers of base desires supported the Ulema on a matter on which the Ulema unanimously agreed. Similarly, if the Ulema unite and unanimously agree on the Purdah practice then can one expect those whose minds are infected with liberal thought and who have been smitten by freedom to accept the Fatawa of the Ulema?

In such circumstances, it is essential for the Ulema to remain steadfast on the Haqq (Truth) irrespective of whether the followers of base desires support or oppose them. The Ulema are charged with the responsibility of directing to the right path. They are not responsible for the actions of people.

IF YOU FOLLOW THEIR BASE DESIRES AFTER ILM (CONVICTION) HAS DAWNED ON YOU THEN YOU WILL NOT FIND IN ALLAH ANY SUPPORTER OR HELPER.'

I now wish to elaborate on the suggestion proffered by your columnist, which he terms '**GHAIROOL UMOORE AUSATOHAA**' (the best course in any matter is the middle path). I state that your columnist appears to suggest that females should not be restricted to the extent that they remain detained in their homes nor should they be given so much freedom that they walk around freely. He implies that they should be granted their freedom draped in Burqahs. 'They should be accorded the same freedom as Mr. Mohamed Ali enjoys.'

However in this view firstly I must ask whether he makes this proposal on the basis of some Shar-ee Ruling or is it his personal opinion? If you have made this proposal on the basis of some Shar-ee Ruling then submit your proof. If this proposal is based on your personal opinion then what rights do you have to submit your personal opinion in ALLAH's Deen?

However if you exacted this proposal from your understanding of the Hadeeth '**GHAIROOL UMOORE AUSATOHAA**' (the best course in any matter is the middle path) then we must wait for the day when you would decree that pure Tauheed is an extremity on the one hand and Hinduistic Shirk (polytheism) is an extremity on the other. Thus you would deem the Christian Doctrine of Trinity as the '**GHAIROOL UMOORE AUSATOHAA**' (the best course in any matter is the middle path) between these two extremes.

Oh Servants of ALLAH! Why are you targeting the Deen of ALLAH? Why have you taken up the gauntlet to destroy ALLAH'S Deen?

If you are in reality frustrated with Islam and are not willing to submit fully to the Commands of ALLAH then declare your apostasy openly and publicly. By doing so, the other Muslims would atleast be safe from your evil. To claim that you are a Muslim whilst labeling ALLAH's Deen as oppressive, coercive, irrational and to strive to alter the Deen militates against common human ethics and morality.

I state openly that the prevalent Purdah practice too, falls short of the Purdah that the Shariah envisages because in the prevalent Purdah practice, Purdah is not observed with many non-Mahram males like

maternal or paternal cousins, nor are adequate and full precautions taken when observing Purdah from those whom they do make Purdah from.

Thus from purely a Shariah point of view, Purdah should be enforced even more strictly. There is no possibility of compromising or bending the rules.

The object of Purdah in the Shariah is chastity. Thus any act that may have a detrimental effect on the chastity of a person will be considered impermissible in the Shariah, irrespective of whether a Burqah is worn or not worn.

If, for example, a woman intermingles and socializes with strange men while wearing a Burqah too, then males will be able to determine her physical features by actually looking at her or by making an assumption from the manner and tone of her speech to deduce whether she is attractive, young or old.

If perchance they are unable to make any deduction by assumption then they would make an effort to find out and this poses a great danger to the chastity of both parties.

Secondly females themselves would ogle males from behind the veil and since females also have lust in them thus they themselves will try to lure the male they find attractive. And when females themselves become the hunters then it is obvious, that the Burqah will be of no help in such a situation. Thus to grant permission for females to intermingle and engage in private conversations with males is definitely a violation of the object of the Shariah and that would also be considered discarding the Purdah.

This is why just as the Shaa-ri (ALLAH) has forbidden males from ogling females similarly HE has forbidden females from ogling strange males. Thus Rasoolullah (SaALLAHoo Alaihi Wasallam) in reply to the Ummahaatul Mumineen's question when they asked what need there was to make Purdah from Ibn Umme Maktoom (RadhiALLAHoo Anho) because he was blind and unable to see them stated, 'Are you also blind? Can you not then see him?' (i.e. he may be blind but you

are not blind. He may not be able to see you but you can certainly see him.)

Thus, what Purdah is observed, when a female intermingles with males, though she may be wearing a Burqah?

This incident clearly illustrates the essence of the Shar-ee Purdah.

Further it is not recorded anywhere that Rasoolullah (SaALLAHoo Alaihi Wasallam) or the Sahabah or the Muslims who followed them roamed around draping their wives and relatives in a Burqah, or that they took them to gatherings where males were present or allowed them to deliver lectures and religious Sermons or introduced them to friends and associates.

Thus if the Shar-ee Purdah was, what is today dubbed as **'GHAIROOL UMOORE AUSATOHAA'** (the best course in any matter is the middle path) then there is no reason why these Eminent Personalities would restrict their females in this way and 'oppress them' according to liberal thinkers.

Study the incident of Ifak that occurred when Rasoolullah (SaALLAHoo Alaihi Wasallam) and his Companions were returning from a Jihad. (The hypocrites falsely slandered Hazrat Aa-eesha (RadhiALLAHoo Anhaa). Note that Hazrat OOAA-eesha also accompanied Rasoolullah (SaALLAHoo Alaihi Wasallam). She was covered and did not roam around freely. In fact she was seated in a palanquin.

(According to the details recorded in a Hadeeth in Bukhari, the palanquin would be lifted by a few men and placed on a camel. When it was time to alight, they would lower the palanquin and place it in a place of safety and privacy. Hazrat Aa-eesha Siddiqah was in one of these. This was precisely what gave rise to the Ifak event.

Hazrat Aa-eesha Siddiqah stepped out of the palanquin and sought privacy to relieve herself. While she was busy, the caravan started moving. Those Sahabah who were appointed to lift and carry her palanquin thought that she was seated inside. They lifted the palanquin and placed it on the camel.

When Hazrat Aa-eesha returned she found that the caravan had already departed.

Hazrat Siddiqah's mode of travel, wherein she was concealed from every angle, is the original idea behind the palanquins that are in use today.)

In the Battle of Jamal too, Hazrat Aa-eesha was not clad only in a Burqah but she was concealed in a palanquin.

If there was permission in that age to merely wear a Burqah and walk around freely then what was the need for the palanquin, and why are there no reports indicating that females of that era walked around freely in the cities, in the jungles and in gatherings, clad only in a Burqah?

From this, it is obvious that the so-called 'religious-Purdah' that many are clamouring for today, is not the Purdah which Rasoolullah (SaALLAHoo Alaihi Wasallam) taught, nor were the Sahaabah, the Taa-bi een, the A-imma Mujtahideen or the Muslims of the past aware of this type of Purdah. So how can the Ulema be expected to consent that this is a Shar-ee Purdah and to issue a Fatawa, permitting its practice.

Friends! Sins have always been committed and violations always occur. People steal, they drink alcohol and they commit adultery too. So if you also prefer to sin and wish to violate the Shariah law then by all means do so. But for the sake of ALLAH do not change the Divine Law and do not present sins and violations as the Law of ALLAH.

In fact consider sin as sin and consider yourself a sinner after committing the sin. Do not invite others to irreligious practices. By doing so, you can atleast remain a Muslim. By seeking to alter the Divine Commands and to regard the laws of immorality as Divine Law and to consider ALLAH (may ALLAH protect us from uttering such blasphemy) as 'ignorant' and to discourage others from following the Deen of ALLAH fully, then unfortunately you cannot be a Muslim anymore.

The Appendix is herewith concluded and this concludes the Fatawah, from all its angles. **Walhamdolilah**

HAZRAT MADANI ACADEMY

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